

## **EXHIBIT 4**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,  
an Indiana corporation, and ACE  
AMERICAN INSURANCE COMPANY, a  
Pennsylvania corporation,

**FEDERAL INSURANCE COMPANY'S  
THIRD SUPPLEMENTAL ANSWER  
TO PLAINTIFF'S INTERROGATORY  
NO. 16 AND FOURTH  
SUPPLEMENTAL ANSWER TO  
PLAINTIFF'S INTERROGATORY  
NO. 17**

Defendants.

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To: Plaintiff and its attorneys, Allen Hinderaker, Heather Kliebenstein and Michael A. Erbele, Merchant & Gould P.C., 3200 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402.

Defendant Federal Insurance Company ("Federal"), for its Third Supplemental Answer to Plaintiff's Interrogatory No. 16 and Fourth Supplemental Answer to Plaintiff's interrogatory No. 17, states and alleges as follows:

**GENERAL RESPONSES**

1. Federal objects to the Definitions and Instructions to the extent that they seek to impose obligations on Federal that either exceed, or are different from, what is required under the Federal Rules of Civil Procedure, District of Minnesota Local Rules, and the Stipulated E-Discovery Order.

2. Federal objects to the requests to the extent that they seek information protected from discovery under the attorney-client privilege or work product doctrine.

- IRMA did not start using Blaze Advisor® until 2012, and therefore, there is no information to produce for 2007-2011.
- TAPS did not start using Blaze Advisor® until 2013, and therefore, there is no information to produce for 2007-2012.
- ERCIS Claims is a claims system (not a policy system), and therefore, there is no gross written premium or policy count associated with the application.

**INTERROGATORY NO. 17:** For all insurance policies in connection with which the Blaze Advisor® software was used, the gross written premium of Defendants and the gross written premium of each related company, including the specific identification of each related company, for each quarter from March 30, 2016 to date. For clarity, this Interrogatory is not seeking investment income, other income, or capital and surplus accounts.

**ANSWER:** Defendants object to the request for “all” insurance policies as overbroad, unduly burdensome, and not proportional to the needs of this case. Defendants also object to this Interrogatory as compound and impermissibly constituting multiple interrogatories, which are limited in number under the Federal Rules. Defendants also object to this Interrogatory as vague and ambiguous in failing to identify the relevant “use” and calling for insurance policies “in connection with.” Defendants further object to this Interrogatory because “the gross written premium” of Defendants and the “gross written premium of each related company” are not relevant to any claim or defense in this action, including because Defendants’ profits are not reasonably related to the alleged infringement, as is necessary for FICO to obtain an award of the defendants’ profits. *See, e.g., Francois v. Ruch*, 2006 WL 3735950, at \*3 (C.D. Ill. Dec. 15, 2006). Defendants further object to the extent the Interrogatory seeks information not in the possession, custody, or control of Defendants, and thus exceeds the scope of discovery under Federal Rule 26(b)(1).

		<b>Count</b>
2018	\$500,851,000	57,000
2017	\$442,800,000	81,000
2016	\$503,400,000	81,000

- The data for Premium Booking is extracted from a mainframe DB2 table that is specifically tracking the policies that passed through the Premium Booking “rules” as constructed in/using the Blaze Advisor® tool. Unfortunately, this table does not include writing company and that information could not be correlated to the policy count/gross written premium values being provided.
- For the Chubb Commercial Insurance (CCI) business unit for the years identified below (post-merger), the following applications use Blaze Advisor® software: CUW-IM, TAPS, and IRMA. The approximate gross written premiums, policy counts, and identification of the insurance writing companies that issued insurance policies that used these applications, in connection with which the Blaze Advisor® software was used, is provided in the charts below for the years requested. Discovery is continuing.
- **For CUW-IM:<sup>1</sup>**

<b>YEAR</b>	<b>WRITING COMPANY</b>	<b>POLICY COUNT</b>	<b>WRITTEN PREMIUM</b>
2016	CHUBB CUSTOM INSURANCE COMPANY	2,127	\$217,444,131.00
	CHUBB DE MEXICO COMPANIA DE SEGUROS, S.A.	8	\$41,810.00
	CHUBB EUROPEAN GROUP SE	44	\$260,360.00
	CHUBB INDEMNITY INSURANCE COMPANY	4,475	\$515,778,122.00
	CHUBB INSURANCE AUSTRALIA LIMITED	6	\$223,981.00
	CHUBB INSURANCE COMPANY LIMITED	4	\$10,686.00
	CHUBB INSURANCE COMPANY OF CANADA	7	\$173,352.00
	CHUBB INSURANCE COMPANY OF NEW JERSEY	3,635	\$69,278,561.00
	CHUBB NATIONAL INSURANCE COMPANY	1,223	\$50,975,438.00
	CHUBB SEGUROS BRASIL, S.A.	2	\$4,281.00
	EXECUTIVE RISK INDEMNITY INC.	13	\$2,167,006.00
	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	28	\$4,528,627.00
	FEDERAL INSURANCE COMPANY	141,235	\$4,800,540,559.00
	GREAT NORTHERN INSURANCE COMPANY	30,523	\$868,809,231.00

<sup>1</sup> We understand that this financial information includes policies that were brought in under a system that includes policies that are renewed using Blaze, but automatically at the same time includes the prior transaction involving the same policy regardless whether it uses Blaze. We are seeking a way to not include the prior policy since it results in the financial information having inflated numbers.

	PACIFIC INDEMNITY COMPANY	4,568	\$426,214,814.00
	VIGILANT INSURANCE COMPANY	6,478	\$307,080,046.00
	ACE American Insurance Co	2,890	\$108,983,073.98
	ACE Fire Underwriters Ins	38	\$1,092,991.43
	ACE Property and Casualty	768	\$106,304,729.88
	Illinois Union Insurance	1,183	\$81,709,115.00
	Indemnity Insurance Co of	97	\$17,014,247.06
	Pacific Employers Insurance	6	\$469,700.00
	Westchester Surplus Lines	132	\$12,587,416.00
	WFIC for Bus.Eff.1/1/11	1,010	\$31,266,954.00
2017	CHUBB CUSTOM INSURANCE COMPANY	1,119	\$125,046,576.00
	CHUBB DE MEXICO COMPANIA DE SEGUROS, S.A.	2	\$12,403.00
	CHUBB EUROPEAN GROUP SE	40	\$368,955.00
	CHUBB INDEMNITY INSURANCE COMPANY	5,986	\$581,425,852.00
	CHUBB INSURANCE AUSTRALIA LIMITED	2	\$5,554.00
	CHUBB INSURANCE COMPANY LIMITED	3	\$7,913.00
	CHUBB INSURANCE COMPANY OF CANADA	2	\$14,184.00
	CHUBB INSURANCE COMPANY OF NEW JERSEY	3,432	\$65,809,698.00
	CHUBB NATIONAL INSURANCE COMPANY	1,906	\$68,554,767.00
	CHUBB SEGUROS BRASIL, S.A.	2	\$16,297.00
	EXECUTIVE RISK INDEMNITY INC.	11	\$2,732,882.00
	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	11	\$1,102,030.00
	FEDERAL INSURANCE COMPANY	147,481	\$5,098,798,285.00
	GREAT NORTHERN INSURANCE COMPANY	31,605	\$912,720,319.00
	PACIFIC INDEMNITY COMPANY	4,825	\$468,474,693.00
	VIGILANT INSURANCE COMPANY	6,461	\$324,338,205.00
	ACE American Insurance Co	8,243	\$354,885,926.81
	ACE Fire Underwriters Ins	53	\$1,722,590.00
	ACE Property and Casualty	2,413	\$248,919,844.00
	Illinois Union Insurance	3,444	\$255,341,641.00
	Indemnity Insurance Co of	281	\$21,351,439.00
	Pacific Employers Insurance	21	\$869,381.00
	Westchester Surplus Lines	476	\$45,285,709.00
	WFIC for Bus.Eff.1/1/11	2,246	\$67,191,783.00
2018	CHUBB CUSTOM INSURANCE COMPANY	610	\$68,563,377.00
	CHUBB DE MEXICO COMPANIA DE SEGUROS, S.A.	1	\$16,435.00
	CHUBB EUROPEAN GROUP SE	16	\$85,623.00
	CHUBB INDEMNITY INSURANCE COMPANY	4,962	\$443,033,892.00
	CHUBB INSURANCE AUSTRALIA LIMITED	1	\$25,208.00
	CHUBB INSURANCE COMPANY LIMITED	1	\$6,135.00
	CHUBB INSURANCE COMPANY OF CANADA	1	\$6,754.00

	CHUBB INSURANCE COMPANY OF NEW JERSEY	1,799	\$32,946,513.00
	CHUBB NATIONAL INSURANCE COMPANY	1,582	\$66,309,955.00
	CHUBB SEGUROS BRASIL, S.A.	1	\$642.00
	EXECUTIVE RISK INDEMNITY INC.	6	\$1,661,561.00
	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	3	\$213,165.00
	FEDERAL INSURANCE COMPANY	90,925	\$3,558,748,157.00
	GREAT NORTHERN INSURANCE COMPANY	22,807	\$710,266,687.00
	PACIFIC INDEMNITY COMPANY	3,356	\$369,995,206.00
	VIGILANT INSURANCE COMPANY	4,193	\$227,639,141.00
	ACE American Insurance Co	6,740	\$274,751,661.00
	ACE Fire Underwriters Ins	38	\$1,498,240.00
	ACE Property and Casualty	1,971	\$191,070,156.00
	Illinois Union Insurance	3,372	\$240,820,970.00
	Indemnity Insurance Co of	175	\$13,196,308.00
	Pacific Employers Insurance	14	\$51,084.00
	Westchester Surplus Lines	602	\$49,388,448.00
	WFIC for Bus.Eff.1/1/11	1,273	\$36,242,321.00
2019	CHUBB CUSTOM INSURANCE COMPANY	43	\$6,693,927.00
	CHUBB INDEMNITY INSURANCE COMPANY	486	\$50,083,542.00
	CHUBB INSURANCE COMPANY OF NEW JERSEY	97	\$2,469,028.00
	CHUBB NATIONAL INSURANCE COMPANY	124	\$6,526,910.00
	FEDERAL INSURANCE COMPANY	6,032	\$417,370,954.00
	GREAT NORTHERN INSURANCE COMPANY	1,745	\$97,044,347.00
	PACIFIC INDEMNITY COMPANY	233	\$39,736,490.00
	VIGILANT INSURANCE COMPANY	220	\$25,155,354.00
	ACE American Insurance Co	374	\$13,255,599.00
	ACE Fire Underwriters Ins	2	\$185,620.00
	ACE Property and Casualty	23	\$7,502,715.00
	Illinois Union Insurance	270	\$24,843,797.00
	Indemnity Insurance Co of	4	\$66,049.00
	Westchester Surplus Lines	3	\$538,022.00
	WFIC for Bus.Eff.1/1/11	18	\$174,830.00

• **For TAPS:**

YEAR	WRITING COMPANY	POLICY COUNT	WRITTEN PREMIUM
2016	CHUBB INDEMNITY INSURANCE COMPANY	207	\$73,264,108.51
	CHUBB NATIONAL INSURANCE COMPANY	7	\$561,041.00
	FEDERAL INSURANCE COMPANY	536	\$143,625,269.12
	GREAT NORTHERN INSURANCE COMPANY	20	\$8,309,789.00

	PACIFIC INDEMNITY COMPANY	79	\$42,217,709.72
	VIGILANT INSURANCE COMPANY	47	\$17,102,989.00
2017	CHUBB INDEMNITY INSURANCE COMPANY	239	\$45,571,577.11
	CHUBB NATIONAL INSURANCE COMPANY	10	\$1,864,828.00
	FEDERAL INSURANCE COMPANY	496	\$144,179,731.68
	GREAT NORTHERN INSURANCE COMPANY	14	\$5,976,054.00
	PACIFIC INDEMNITY COMPANY	88	\$45,768,062.54
	VIGILANT INSURANCE COMPANY	34	\$8,858,947.00
2018	CHUBB INDEMNITY INSURANCE COMPANY	248	\$39,388,714.07
	CHUBB NATIONAL INSURANCE COMPANY	23	\$5,073,844.00
	FEDERAL INSURANCE COMPANY	484	\$123,103,492.27
	GREAT NORTHERN INSURANCE COMPANY	18	\$5,192,985.00
	PACIFIC INDEMNITY COMPANY	78	\$37,960,159.00
	VIGILANT INSURANCE COMPANY	19	\$5,771,749.00
2019	CHUBB INDEMNITY INSURANCE COMPANY	15	\$428,683.00
	CHUBB NATIONAL INSURANCE COMPANY	3	\$27,056.00
	FEDERAL INSURANCE COMPANY	54	\$5,438,248.00
	PACIFIC INDEMNITY COMPANY	13	\$1,779,809.00
	VIGILANT INSURANCE COMPANY	4	\$578,262.00

• **For IRMA:**

YEAR	WRITING COMPANY	POLICY COUNT	WRITTEN PREMIUM
2016	ALBANY INSURANCE COMPANY	1	\$7,252.00
	CHUBB CUSTOM INSURANCE COMPANY	92	\$615,040.00
	CHUBB DE MEXICO	2	\$19,419.68
	CHUBB DE MEXICO COMPANIA DE SEGUROS, S.A.	4	\$5,451.43
	CHUBB INSURANCE AUSTRALIA LIMITED	7	\$33,636.74
	CHUBB INSURANCE COMPANY LIMITED	6	\$3,758.22
	CHUBB INSURANCE COMPANY OF CANADA	1815	\$10,045,178.53
	CHUBB INSURANCE COMPANY OF NEW JERSEY	253	\$1,108,829.00
	FEDERAL INSURANCE COMPANY	11876	\$68,744,410.52
	GREAT NORTHERN INSURANCE COMPANY	3839	\$17,031,473.49
	PACIFIC INDEMNITY COMPANY	459	\$3,894,125.04
	SELF-INSURED RETENTION	1	\$750.00
	VIGILANT INSURANCE COMPANY	714	\$3,757,327.16
2017	CHUBB CUSTOM INSURANCE COMPANY	6	\$13,803.00
	CHUBB DE MEXICO	1	\$7,175.34

	CHUBB DE MEXICO COMPANIA DE SEGUROS, S.A.	2	\$4,582.26
	CHUBB EUROPEAN GROUP SE	1	\$32,575.09
	CHUBB INSURANCE AUSTRALIA LIMITED	2	\$10,500.40
	CHUBB INSURANCE COMPANY LIMITED	4	\$15,067.52
	CHUBB INSURANCE COMPANY OF CANADA	1863	\$10,196,153.18
	CHUBB INSURANCE COMPANY OF NEW JERSEY	248	\$889,740.00
	FEDERAL INSURANCE COMPANY	11534	\$66,294,342.58
	GREAT NORTHERN INSURANCE COMPANY	3723	\$16,015,552.22
	PACIFIC INDEMNITY COMPANY	420	\$2,860,462.66
	VIGILANT INSURANCE COMPANY	684	\$3,348,817.42
2018	CHUBB CUSTOM INSURANCE COMPANY	2	\$4,782.00
	CHUBB INSURANCE COMPANY OF CANADA	1831	\$11,668,247.00
	CHUBB INSURANCE COMPANY OF NEW JERSEY	217	\$966,870.00
	FEDERAL INSURANCE COMPANY	10318	\$59,180,523.71
	GREAT NORTHERN INSURANCE COMPANY	3444	\$15,149,787.68
	PACIFIC INDEMNITY COMPANY	388	\$2,586,049.98
	VIGILANT INSURANCE COMPANY	644	\$3,085,724.04

- ERCIS Claims is a claims system (not a policy system), and therefore, there is no gross written premium or policy count associated with the application.

Dated: February 28, 2019

s/Terrence J. Fleming

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**VERIFICATION**

Paul Seeley states under oath that he is a AVP, Information Technology; that he is authorized to respond to Plaintiff's Interrogatory Nos. 16 and 17 on behalf of Federal Insurance Company as it relates to the Chubb Specialty Insurance (CSI) business unit (pre-merger) and the Financial Lines Unit (post-merger); that he has relied on directors, employees, agents, and attorneys to provide information used in formulating the answers to the above interrogatories; and that the answers are true and correct to the best of his knowledge.

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Paul Seeley

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Notary Public

**VERIFICATION**

C. Chase McCarthy states under oath that he is IT Lead, North America Commercial Middle Market/Chief Architect, Personal Risk Services; that he is authorized to respond to Plaintiff's Interrogatory Nos. 16 and 17 on behalf of Federal Insurance Company as it relates to the Chubb Commercial Insurance (CCI) business unit; that he has relied on directors, employees, agents, and attorneys to provide information used in formulating the answers to the above interrogatories; and that the answers are true and correct to the best of his knowledge.

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C. Chase McCarthy

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Notary Public

**VERIFICATION**

Tracie D. Jerd states under oath that she is a AVP, NA Enterprise Solutions; that she is authorized to respond to Plaintiff's Interrogatory Nos. 16 and 17 on behalf of Federal Insurance Company as it relates to Premium Booking; that she has relied on directors, employees, agents, and attorneys to provide information used in formulating the answers to the above interrogatories; and that the answers are true and correct to the best of her knowledge.

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Tracie D. Jerd

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Notary Public